

**STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.**

0 Valuation of Security

0 Assumption of Executory Contract or Unexpired Lease

0 Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT  
District of New Jersey**

In Re: **Jose L.Lecour  
Nanine R. Lecour**

Debtor(s)

Case No.: **19-34032rg**  
Judge: **Gambardella**

**CHAPTER 13 PLAN AND MOTIONS**

☐ Original  
☐ Motions Included

☒ Modified/Notice Required  
☐ Modified/No Notice Required

Date: **March 25, 2020**

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE.

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

**The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

<b>Initial Debtor(s)' Attorney</b>	<b>RIL</b>	<b>Initial Debtor:</b>	<b>J LL</b>	<b>Initial Co-Debtor</b>	<b>N RL</b>
	_____		_____		_____

## Part 1: Payment and Length of Plan

a. The debtor has paid to date \$981 over the first three months and shall pay to the Chapter 13 Trustee, starting on April 1, 2020 \$850 for the remaining 57 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future Earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property  
Description:  
Proposed date for completion: \_\_\_\_\_

- ☐ Refinance of real property:  
Description: \_\_\_\_\_  
Proposed date for completion: \_\_\_\_\_

- ☐ Loan modification with respect to mortgage encumbering property:  
Description:  
Proposed date for completion:

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☒ Other information that may be important relating to the payment and length of plan:  
The pot to unsecureds is based on a scheduled lien amount on the PNC Equity line of \$83, 674 . As they have not yet filed a POC, if the lien amount is higher the present not less than figure of \$29,342 in Part 5(a) shall be adjusted up or down accordingly.

## Part 2: Adequate Protection

**X NONE**

a. Adequate protection payments will be made in the amount of \$\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$\_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

### Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
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<b>Ronald I. LeVine. Esq.</b>	<b>Legal Fees - Administrative</b>	<b>2,150.00</b>
<b>NJ Division of Taxation</b>	<b>2018 S &amp; U Tax</b>	<b>2,197.47</b>
<p>b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount: Check one: <input checked="" type="checkbox"/> None The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):</p>		
Creditor	Type of Priority	Amount to be Paid

<b>Part 4: Secured Claims</b>					
<p><b>a. Curing Default and Maintaining Payments on Principal Residence:</b> <input type="checkbox"/> <b>NONE</b></p> <p>The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:</p>					
Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
<b>Matrix Financial Services Corp.</b>	<b>58 Wellington Ave. West Orange NJ</b>	<b>\$3,800.67</b>	<b>0</b>	<b>3,800.67</b>	<b>\$2,137.40</b>
<b>PNC Bank</b>	<b>2nd Mortgage 58 Wellington Ave. West Orange, NJ</b>	<b>6,338</b>	<b>0</b>	<b>6,338</b>	<b>616.09</b>
<p><b>b. Curing and Maintaining Payments on Non-Principal Residence &amp; other loans or rent arrears:</b> <input checked="" type="checkbox"/> <b>NONE</b></p> <p>The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:</p>					
Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
<p><b>c. Secured claims excluded from 11 U.S.C. 506:</b> <input checked="" type="checkbox"/> <b>NONE</b></p> <p>The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:</p>					
Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation	

**d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender ☒ NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
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**f. Secured Claims Unaffected by the Plan ☐ NONE**

The following secured claims are unaffected by the Plan:

**Creditor**

**Cal Automotive monthly payment is current and will be paid outside the Plan on 2017 Honda CRV**

**g. Secured Claims to be Paid in Full Through the Plan ☒ NONE**

Creditor	Collateral	Total Amount to be Paid through the Plan
None		0.00

**Part 5: Unsecured Claims ☐ NONE**

a. **Not separately classified** allowed non-priority unsecured claims shall be paid:

☒ Not less than \$ 29,342 to be distributed *pro rata*

☐ Not less than \_\_\_ percent

☒ *Pro Rata* distribution from any remaining funds

b. **Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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**Part 6: Executory Contracts and Unexpired Leases ☐ NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
CAL Automotive	0	Auto Lease	Assumed	300

**Part 7: Motions** ☒ **NONE**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).** ☒ **NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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**b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.** ☒

**NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.** ☒ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon Confirmation  
☐ Upon Discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or

coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Priority Claims
- 5) General Unsecured Claims
- 6) \_\_\_\_\_

**d. Post-Petition Claims**

The Standing Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification ☒ NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.  
Date of Plan being modified: November 26, 2019

Explain below why the plan is being modified:	Explain below how the plan is being modified:
To adjust payment to unsecureds and add small arrearages for first mortgage and adjust trustee payments.	See 1(a), 1(e) and 5(b)

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

**Part 10 : Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

**Signatures**

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: March 25, 2020

/s/ Jose L. Lecour  
Jose L. Lecour  
Debtor

Date: March 25, 2020

/s/ Nanine R. Lecour  
Nanine R. Lecour

**Joint Debtor**

**Date** March 25, 2020

/s/ Ronald I. LeVine, Esq.  
**Ronald I. LeVine, Esq.**  
**Attorney for the Debtor(s)**

## Certificate of Notice Page 8 of 9

United States Bankruptcy Court  
District of New JerseyIn re:  
Jose L. Lecour  
Nanine R. Lecour  
DebtorsCase No. 19-34032-RG  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin  
Form ID: pdf901Page 1 of 2  
Total Noticed: 43

Date Rcvd: Mar 30, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 01, 2020.

db/jdb  
518642847 +Jose L. Lecour, Nanine R. Lecour, 58 Wellington Ave., West Orange, NJ 07052-4552  
518642848 +AR RESOURCES INC, 1777 SENTRY PKWY W, Blue Bell, PA 19422-2206  
518642850 +ASSOCIATES IN OTOLARYNGOLOGY, 741 NORTHFIELD AVE, SUITE 104, West Orange, NJ 07052-1104  
518642846 +ATLANTIC HEALTH SYSTEM, PO BOX 35610, Newark, NJ 07193-5610  
518689189 +American Express, POB 981537, El Paso, TX 79998-1537  
American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,  
Malvern PA 19355-0701  
518642849 +AtHome Medical, 200 American Road, Morris Plains, NJ 07950-2449  
518642851 +BARNABAS HEALTH AMBULATORY, PO BOX 32053, New York, NY 10087-2053  
518642852 +BCA FINANCIAL SVCS INC, 18001 OLD CUTLER RD, STE 462, Miami, FL 33157-6437  
518757126 +Blair Realty, LLC, 200 Sheffield Street, Suite 305, Mountainside, NJ 07092-2315  
518642853 +Blair Realty, LLC, ATTN: Kimberly A. Sorrento, Esq., 200 Sheffield St.,  
Mountainside, NJ 07092-2315  
518642854 +CAL AUTOMOTIVE, 4556 SOUTH BROAD ST, Trenton, NJ 08620-2204  
518680463 Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027  
518642856 +Citicards CBNA, POB 6241, Sioux Falls, SD 57117-6241  
518642857 +Empire Medical Assoc PC, Attn: Transworld Systems, Inc., POB 17221,  
Wilmington, DE 19850-7221  
518675930 +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A.,  
c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100,  
Boca Raton, FL 33487-2853  
518642860 +Laboratory Corporation of America, POB 2240, Burlington, NC 27216-2240  
518642861 +NBIMC CHONJ PHYSICIAN GROUP, PO BOX 8000 DEPT 466, Buffalo, NY 14267-0002  
518642862 NJ Division of Taxation, POB 440, Trenton, NJ 08646-0440  
518744774 +New Jersey Childrens Hospital, CCCB, PO Box 1750, Whitehouse Station, NJ 08889-1750  
518642863 +OMNI EYE SVCS, PO BOX 826854, Philadelphia, PA 19182-6854  
518642865 +PNC BANK, PO BOX 856177, Louisville, KY 40285-6177  
518642864 +PNC Bank, ATTN: KML Law Group, PC, 216 Haddon Ave, Ste 406, Westmont, NJ 08108-2812  
518726151 +PNC Bank, N.A., PO Box 94982, Cleveland, OH 44101-4982  
518727331 PSE&G, Attn: Bankruptcy Dept., PO Box 709, Newark NJ 07101-0709  
518642866 +PSE&G, PO BOX 14444, New Brunswick, NJ 08906-4444  
518642868 +SCHWEIGER DERMATOLOGY, 2701 QUEENS PLAZA NORTH, 10TH FL, Long Island City, NY 11101-4022  
518719882 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,  
TRENTON NJ 08646-0245  
(address filed with court: State of New Jersey, Division of Taxation, PO BOX 245-Bankruptcy,  
Trenton, NJ 08695-0272)  
518642869 +Sears CBNA, POB 6282, Sioux Falls, SD 57117-6282  
518642871 ++USALLIANCE FEDERAL CREDIT UNION, 300 APOLLO DRIVE, CHELMSFORD MA 01824-3629  
(address filed with court: US ALLIANCE FEDERAL CREDIT UNION, 411 THEODORE FREMD AVE,  
Rye, NY 10580)  
518759224 +USAlliance Federal Credit Union, 300 Apollo Drive, Chelmsford, MA 01824-3629

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
smg E-mail/Text: usan.j.njbankr@usdoj.gov Mar 31 2020 02:26:32 U.S. Attorney, 970 Broad St.,  
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Mar 31 2020 02:26:29 United States Trustee,  
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
Newark, NJ 07102-5235cr +E-mail/Text: cashiering-administrationservices@flagstar.com Mar 31 2020 02:26:56  
Matrix Financial Services Corporation, c/o Flagstar Bank, 5151 Corporate Drive,  
Troy, MI 48098-2639518729068 E-mail/PDF: resurgentbknofications@resurgent.com Mar 31 2020 02:38:48  
Ashley Funding Services, LLC, Resurgent Capital Services, PO Box 10587,  
Greenville, SC 29603-0587518642855 +E-mail/Text: bankruptcy@certifiedcollection.com Mar 31 2020 02:26:20  
Certified Credit & Collection Bureau, Attn: Chilton Medical Center OP, POB 1750,  
Whitehouse Station, NJ 08889-1750518642858 +E-mail/Text: cashiering-administrationservices@flagstar.com Mar 31 2020 02:26:56  
Flagstar Bank, 5151 Corporate Drive 3W-125, Troy, MI 48098-2639518642859 E-mail/PDF: ais.chase.ebn@americaninfosource.com Mar 31 2020 02:38:30 JPMCB Card,  
POB 15369, Wilmington, DE 19850518754200 +E-mail/Text: cashiering-administrationservices@flagstar.com Mar 31 2020 02:26:56  
Matrix Financial Services Corporation, c/o Flagstar Bank, FSB, 5151 Corporate Drive,  
Troy, MI 48098-2639518642867 +E-mail/Text: bankruptcy@savit.com Mar 31 2020 02:27:08 Sa-Vit Collection Agency,  
46 W. Ferris St East, East Brunswick, NJ 08816-2159518642870 +E-mail/Text: clientservices@simonsagency.com Mar 31 2020 02:27:00 Simons Agency, Inc.,  
4963 Wintersweet Dr, Liverpool, NY 13088-2176518642872 +E-mail/Text: wfmelectronicbankruptcy@verizonwireless.com Mar 31 2020 02:25:29  
VERIZON, PO BOX 4830, Trenton, NJ 08650-4830518740382 +E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Mar 31 2020 02:36:19 Verizon,  
by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901

TOTAL: 12

District/off: 0312-2

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 43

Date Rcvd: Mar 30, 2020

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

518754266\* +PNC Bank, N.A., P.O. Box 94982, Cleveland, OH 44101-4982  
518727332\* PSE&G, Attn: Bankruptcy Dept., PO Box 709, Newark NJ 07101-0709

TOTALS: 0, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 01, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 27, 2020 at the address(es) listed below:

Chandra M. Arkema on behalf of Creditor Matrix Financial Services Corporation  
carkema@sqirelaw.com  
Denise E. Carlon on behalf of Creditor PNC Mortgage, a Division of PNC Bank, National  
Association dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Marie-Ann Greenberg magecf@magtrustee.com  
Robert Wachtel on behalf of Debtor Jose L. Lecour rwachtel@ronlevinelaw.com,  
ronlevinelawfirm@gmail.com  
Robert Wachtel on behalf of Joint Debtor Nanine R. Lecour rwachtel@ronlevinelaw.com,  
ronlevinelawfirm@gmail.com  
Ronald I. LeVine on behalf of Joint Debtor Nanine R. Lecour ronlevinelawfirm@gmail.com,  
irr72645@notify.bestcase.com  
Ronald I. LeVine on behalf of Debtor Jose L. Lecour ronlevinelawfirm@gmail.com,  
irr72645@notify.bestcase.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8